

10/20/04
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CERTIFICATE OF MAILING

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Attorney for Applicant(s)

PATENT APPLICATION

Docket No.: 1098.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Francis, et al.)
Serial No.: 10/802,997)
Filing Date: March 17, 2004) Group Art
For: DISSOLVABLE FLAVORING CAPSULES) Unit: 1761
)
)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement discloses information which has come to the attention of applicant and his attorneys and is being submitted so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(c) the required fee of \$180.00 under § 1.17(p) is also being submitted.

Neither applicant nor his attorneys make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or as an admission that the

information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, this Information Disclosure Statement includes and is accompanied by:

1. A completed copy of Form PTO-1449 listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each, publication and other item of information in written form listed on the enclosed Form PTO-1449.

NON-ENGLISH INFORMATION

Pursuant to 37 C.F.R. § 1.98, following is a concise explanation of the relevance (as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information), of each listed patent, publication or other information that is not in the English language.

ABSTRACT:

JP356127065A

PURPOSE: To make the weighing of a seasoning or food accurate and facilitate the carrying thereof, by wrapping an adequate amount each of the seasoning or food with a covering material.
CONSTITUTION: An adequate amount of salt, sugar or other seasonings or food is wrapped with a suitable covering material, e.g. gelatin, medical wafer or grain, e.g. corn, made of a suitable material to form one pack. The covering material needs to be solid at ordinary temperature in air in a liquid or human body.

JP10004865A

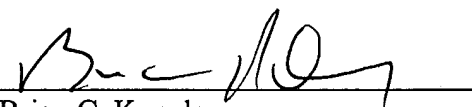
Gelatin capsules containing volatile flavourings (mint, vanilla, chocolate, lemon, strawberry, etc.), are kneaded into the cake dough prior to baking. The aim is to ensure that the flavouring is evenly distributed, to increase the potency of the flavouring and to enable a wider range of flavouring to be used.

JP361058537A

PURPOSE: To provide a soft gelatin capsule composed of a gelatin shell and the content consisting of a delicious drink component and a dispersing medium made of vegetable oil, and soluble in the mouth to give delicious taste or refreshing feeling to the plate.

CONSTITUTION: The objective capsule is composed of the gelatin shell and the content consisting of a delicious drink component and a vegetable oil Dispersing medium. The delicious drink component is e.g. coffee, cocoa, tea, etc., which may contain a sweetener, milk, flavor or colorant. The kind of the component and its amount is adjusted according to the object of the final product or the taste of the individual consumer. The sweetener is preferably fructose from the viewpoint of the degree and the quality of sweetness. The flavor is cream essence, lemon oil, etc., and is selected according to the object of the final product.

Respectfully submitted,



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Date: September 20, 2004

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SEP 23 2004

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PTO/SB/05 (12/97)

Approved for use through 9/30/03. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Note: Effective October 1, 2001.
Patent fees are subject to annual revision.

Complete If Known

Application Number	10/802,997
Filing Date	March 17, 2004
First Named Inventor	C. Pauline Fancis
Group Art Unit	1761
Examiner Name	
Attorney Docket Number	1098.2.1

TOTAL AMOUNT OF PAYMENT

\$180

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account No.: _____

Deposit Account Name: _____

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance ☐

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

\$ 0

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
20	-20 =	0	x 8 = 0
Ind. Claims	3	- 3 =	0
Multiple Dep. Claims	0	x 280 =	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim
1204	86	2204	43	Reissue independent claims over original patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive -unavoidably	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3)

\$ 180

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	Brian C. Kunzler	Reg. Number	38,527
Signature		Date	Sep 20, 2004
		Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	SERIAL NO. 10/802,997	ATTORNEY DOCKET NO. 1098.2.1
	FILING DATE March 17, 2004	GROUP ART UNIT 1761
	APPLICANT(S): Francis, et al.	

REFERENCE DESIGNATION**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION	
						YES	NO
	A1	JP56127065A	10/05/1981	JP	A23L001/22		X
	A2	JP10004865A	01/13/1998	JP			X
	A3	JP361058537A	03/25/1986	JP	A23F005/36		X

NON-PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)
	A4	http://www.getsuckered.com/cgi-bin/shopping/cart.cgi GetSuckered.com
	A5	"Seasonings" DIALOG (R) File 79: Foods Adlibra (TM), July 1981, p. p 88
	A6	"Flavors" DIALOG (R) File 79: Foods Adlibra (TM), June 1982, p. p 32
	A7	Anon, "Ingredient capsules beg processing solutions" DIALOG (R) File 79: Foods Adlibra (TM), November 1992, p. p 81

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).